

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DARLENE CHAVIS,

Plaintiff,

-v-

UNITED STATES OF AMERICA,

Defendant.
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15-cv-3504 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On April 3, 2018, Judge Paul A. Crotty denied the Government's motion to dismiss the complaint but granted its motion to stay the proceedings pending a determination by the Secretary of Labor as to whether the Federal Employees' Compensation Act ("FECA") applied to Plaintiff's claim under the Federal Tort Claims Act. Dkt. No. 64. The Court directed Plaintiff to file her FECA claim with the Secretary of Labor within thirty (30) days from the entry of that order. The Court said it would "dismiss the complaint for lack of subject matter jurisdiction should Plaintiff not proceed with the FECA claim within thirty days from the entry of this order." *Id.* On April 27, 2018, the Court extended Plaintiff's time to file her FECA claim with the Secretary of Labor until June 2, 2018.

Almost two years has passed since the Court's extension on April 27, 2018. It is hereby ORDERED that Plaintiff shall file a letter with the Court by March 13, 2020, indicating whether she has filed her FECA claim with the Secretary of Labor and the result of the determination, or otherwise show cause as to why her complaint should not be dismissed without prejudice.

SO ORDERED.

Dated: February 20, 2020
New York, New York



LEWIS J. LIMAN
United States District Judge